

MINUTES
GREEN BAY PLAN COMMISSION
Monday, September 12, 2016
City Hall, Room 604
6:00 p.m.

*****For more detailed information regarding the meeting, please see the meeting video on our website at <http://greenbaywi.gov/event/plan-commission-meeting-80/> and follow the time stamp listed on each item.***

MEMBERS PRESENT: Maribeth Conard–Chair, Tim Gilbert-Vice Chair, Ald. Dave Nennig, Sid Bremer, Lisa Hanson, Jerry Wiezbiskie and Jake Miller

MEMBERS EXCUSED:

OTHERS PRESENT: Kevin Vonck, Paul Neumeyer, Mark Lyons, Cheryl Renier-Wigg, Cale Pulczynski, Chris Dahlke, Bob Mathews, Chet Lamers, David Schuldt, Jesse Hall, and Bob Mach

APPROVAL OF MINUTES:

Approval of the minutes from the August 8, 2016, Plan Commission meeting. (0:00:38)

A motion was made by J. Wiezbiskie and seconded by Ald. D. Nennig to approve the minutes from the August 8, 2016, Plan Commission meeting. Motion carried.

COMMUNICATIONS:

OLD BUSINESS:

1. (TA 16-02) Consideration and possible action on the request by the Planning staff to amend Chapter 13-602, Table 6-1 and Chapter 13-1602 (j) related to transient residential uses. (0:01:22)

P. Neumeyer presented to Commissioners an amended draft ordinance for “Short-term Rentals”. He briefly went through the ordinance with Commissioners. This information included the elimination of the Conditional Use Permit (CUP) in the RR, R1, and R2 districts, registering with the State of WI, Brown County Treasurer and Health Department, and a change in the terminology from transient residential use to short-term rental. Per the request from Commissioners, staff noticed Common Council members via a memo and draft ordinance prior to the Plan Commission meeting. Ald. R. Scannell had informed P. Neumeyer that his main concern was he would like to see adjoining property owners noticed of the rentals coming into the area, and an email from Ald. C. Wery. Staff is recommending approval subject to the draft ordinance.

A brief discussion ensued regarding an email submitted by Ald. C. Wery prior to the meeting. K. Vonck stated that he did respond to Ald. C. Wery’s email and informed Commissioners what was said. K. Vonck also briefed Commissioners on how and why the new draft ordinance evolved and what the next steps will be to pass the ordinance. S. Bremer stated her concern is that they will no longer have input from neighbors, as that had been a huge deciding factor. S. Bremer stated that she would like to see the ordinance amended to include the following information: a submission of the rental agreement, parking, City Ordinances, occupancy and

that neighbors and neighborhood associations are notified of the short-term rentals coming into the area.

A conversation continued between Commissioners regarding the draft ordinance and the fact that the short-term rentals will no longer be coming through the Plan Commission any longer and just through Planning staff. Ald. D. Nennig gave a brief update as to where the City Council sits regarding the ordinance. The main topic of discussion was that the short-term rentals need more restrictions, due to the neighborhood petitions that were submitted. L. Hanson suggested that a list of inspection criteria from the State be added to the ordinance and be provided to council. J. Miller's concern was how the rules will be enforced and that maybe there should be an increase in fines for not following the process. P. Neumeyer stated that the fines are already established for short-term rentals and will be complaint driven. K. Vonck stated by making the ordinance a city wide ordinance it makes it more effective, efficient, and equitable.

A motion was made by J. Wiezbiskie and seconded by T. Gilbert to amend Chapter 13-602, Table 6-1 and Chapter 13-1602 (j) related to transient residential uses. Motion carried.

S. Bremer then asked for some language changes in the ordinance. All were in agreement with the changes.

A motion was made by J. Wiezbiskie and seconded by T. Gilbert to amend the previous motion to amend Chapter 13-602, Table 6-1 and Chapter 13-1602 (j) related to transient residential uses, subject to the draft ordinance changes. Motion carried.

NEW BUSINESS:

2. (ZP 16-36) Consideration with possible action on a request to authorize a Conditional Use Permit (CUP) for an educational use at 800 Packerland Drive, submitted by Cale Pulczynski, NWTC. (Ald. T. Sladek, District 12) (0:32:16)

P. Neumeyer presented to Commissioners a request for a CUP for an educational use located at 800 Packerland Drive. Information included Comprehensive Plan, current zoning, reason for the request, site plan and rendering of the proposed building. The request is for NWTC and will be an automotive and collision and diesel program. NWTC does have a PUD for their campus and this is just outside their campus area. Staff recommended to NWTC that instead of expanding their boundaries, request a CUP at this time with the possibility of expansion in the near future. Affected property owners were notified of the request with no objections received. Staff is recommending approval subject to the standard site plan review and approval.

A discussion ensued between Commissioners and P. Neumeyer. Some issues brought up included the current zoning not matching the Comprehensive Plan and then if the Comprehensive Plan needed to be amended, lot lines, and future expansion. P. Neumeyer explained to Commissioners why a Comprehensive Plan amendment would not be necessary at this time.

M. Conard asked if anyone wished to speak regarding the request. Those present stated no.

A motion was made by Ald. D. Nennig and seconded by J. Wiezbiskie to approve the request to authorize a Conditional Use Permit (CUP) for an educational use at 800 Packerland Drive, subject to standard site plan review and approval. Motion carried.

3. (ZP 16-37) Consideration with possible action on the request to rezone 1638 University Avenue from Light Industrial (LI) to General Commercial (C1), submitted by Jesse Hall, Keller, on behalf of Ruben Rodriguez and 1652 University Avenue from Light Industrial (LI)

to General Commercial (C1), proposed by City of Green Bay Planning Department. (Ald. D. Nennig, District 5) (0:37:47)

M. Lyons stated the initial request from the petitioner did not include the small parcel located at 1652 University Ave, owned by American Foods, which is currently green space. Staff is proposing to include the parcel with the request to clean up the zoning lines. M. Lyons then informed Commissioners of the different uses on the parcel to include a grocery store, a bakery, and a multi-family building. The present LI zoning does not allow the grocery store as a permitted use. The applicant wants to make updates to the building and in order to do so, the zoning needs to be compliant. The change to C1 will allow for all current uses and improvements the petitioner wants to make. The Comp Plan does recommend C1 for the area. Staff is recommending approval of the request. Affected property owners were notified of the request with no objections. There have been discussions with American Foods regarding their involvement with the request.

M. Conard asked if anyone wished to speak regarding the request. Those present stated no.

A motion was made by Ald. D. Nennig and seconded by J. Wiezbiskie to approve the request to rezone 1638 University Avenue from Light Industrial (LI) to General Commercial (C1) and 1652 University Avenue from Light Industrial (LI) to General Commercial (C1). Motion carried.

4. (ZP 16-39) Consideration with possible action on the request to rezone 717 Nicolet Avenue from Low-Density Residential (R1) District to Office/Residential (OR) District, submitted by Tower Clock. (Ald. G. Zima, District 9) (0:41:04)

M. Lyons presented to Commissioners the request from Town Clock to rezone a parcel to expand their parking lot. Items included the current location of the building, the Comprehensive Plan, zoning surrounding the parcel, site plan, impervious surface challenges with the site and options for run-off issues. Staff is recommending approval of the request.

A motion was made by J. Wiezbiskie and seconded by Ald. D. Nennig to approve the request to rezone 717 Nicolet Avenue from Low-Density Residential (R1) District to Office/Residential (OR) District.

M. Conard asked if there was any other discussion. S. Bremer stated she has a concern regarding the landscaping buffer for the neighborhood. M. Lyons stated the final landscaping plan has not been finalized; however, will be similar to what is currently there.

Motion carried.

5. (ZP 16-40) Consideration with possible action on a request to rezone 908 & 910 Velp Avenue from General Commercial (C1) to Low Density Residential (R1), submitted by Cheryl Renier-Wigg, Redevelopment Authority of Green Bay. (Ald. R. Scannell, District 7) (0:44:29)

P. Neumeyer stated this is a request to rezone two small properties along Velp Avenue for the future construction of a single family dwelling. Items discussed included the location of the properties, the Comprehensive Plan, current zoning, zoning request, size of the lots, surrounding zoning, and surplus request. Staff is recommending approval of the request even though it is not consistent with the Comprehensive Plan, but is logical due to the size of the lots and potential buildability under the current zoning.

A conversation ensued between Commissioners and staff. Items discussed included the size and use of the lots, amending the Comprehensive Plan, and exit points from the property.

A motion was made by L. Hanson and seconded by J. Wiezbiskie to approve the request to rezone 908 & 910 Velp Avenue from General Commercial (C1) to Low Density Residential (R1). Motion carried.

6. (SP 16-01) Consideration with possible action on the request to declare the city properties located at 908 & 910 Velp Avenue as “city surplus”, submitted by the Redevelopment Authority. (Ald. R. Scannell, District 7) (0:47:34)

P. Neumeyer presented to Commissioners the second part of the Velp Avenue request, which would be to declare the property as city surplus. Affected agencies and departments have been notified of the request with no objections. Staff is recommending approval of the request subject to no vehicle access to Velp Avenue.

A motion was made by J. Wiezbiskie and seconded by L. Hanson to approve the request to declare the city properties located at 908 & 910 Velp Avenue as “city surplus”. Motion carried.

7. (TA16-03) Consideration with possible action on the request of Ald. Randy Scannell to amend the Mobile Food Establishment ordinance during Packer games to permit food trucks in Residential areas, referred by the Protection & Welfare Committee on August 4, 2016. (0:48:13)

A motion was made by Ald. D. Nennig and seconded by J. Wiezbiskie to receive and place on file the request of Ald. R. Scannell to amend the Mobile Food Establishment ordinance during Packer games to permit food trucks in Residential areas. Motion carried.

M. Conard introduced the newest Plan Commission member, Jake Miller.

INFORMATIONAL:

OTHER:

Director's Update on Council Actions. (0:49:29)

K. Vonck reported the following information:

Items approved/denied at the August 16, 2016 Common Council Meeting:

- The CUP for 1059 Shadow was denied on a 6-6 vote, with the Mayor breaking the tie.
- The CUP for three two-family dwellings along East Walnut was approved.
- The rezoning request for 1022 9th Street that was denied by Plan Commission was approved with a 6-6 vote and the Mayor breaking the tie.
- The CUP, approved by the Plan Commission, for 1780 Main Street was denied by Council.

K. Vonck announced that Cheryl Renier-Wigg accepted the position of Assistant Director for the Community and Economic Department.

SUBMITTED PETITIONS: (for informational purposes only)

A motion was made by J. Wiezbiskie and seconded by L. Hanson to adjourn. Motion carried.

Meeting adjourned at 6:54 p.m.